



PATENT

Attorney Docket No. 87711
Client Ref. No. P3P99022US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

SEIJI MOTOJIMA, ET AL.

Application No. 09/403,894

Filed: October 26, 1999

For: METHOD AND APPARATUS FOR
MANUFACTURING CARBON FIBER
COILS

Customer No. 20350

Confirmation No.

Examiner: Stuart L. Hendrickson

Technology Center/Art Unit: 1754

DECLARATION OF LATA OLIVIER
IN SUPPORT OF RENEWED PETITION
FOR REVIVAL OF UNINTENTIONALLY
ABANDONED PATENT APPLICATION

I, Lata Olivier, declare as follows:

1. I am employed by Townsend & Townsend & Crew of San Francisco, California, ("TTC"), and until February 28, 2006 I was secretary to Kevin T. Lemond ("Lemond"), then a partner of TTC.

2. I am familiar with the above-captioned patent application and although I was not involved in the original filing of the application, I handled the correspondence between Lemond and the USPTO and between Lemond and the client, Onda Techno International Patent Attorneys of Gifu-City, Japan, ("Client"), until Lemond left TTC at the end of February 2006.

3. I have reviewed the accompanying Documents in Support of Renewed Petition Under 37 CFR 1.137(b) for Revival of Unintentionally Abandoned Patent Application, and I recall the filing of the Amendment dated September 25, 2003 (Exh. C). I also recall sending the letter of September 26, 2003 (Exh. 3) to the Client.

4. Under TTC's procedures, incoming Patent Office communications are initially routed to TTC's docketing department and thereafter to the responsible attorney's secretary, who then hands the Official Letter and the corresponding file to the attorney so he or she can take whatever action is needed.

5. I recall receiving the Notice of Abandonment dated June 17, 2004 (Exh. E) and handed it with the file to Lemond.

6. Prior to October 21, 2004 Lemond asked me to refile the Amendment of September 25, 2003 (Exh. C) because the Notice of Abandonment (Exh. E) stated that the application was abandoned due to applicant's failure to file a proper reply to the Office Action of April 25, 2003. Lemond mentioned to me at that time that the Amendment of September 25, 2003 had apparently become lost in the USPTO because if it had been received the application would have been allowed, and that in view thereof the Amendment of September 25, 2003 should be refiled, which I did on October 21, 2004.

7. When I received the Notice of Abandonment of June 17, 2004 (Exh. E) and handed it to Lemond, I did not notice that it made reference to Office letters dated 4/25/03 and 11/25/03, and I also did not notice that an Office letter of 11/25/03 was not in the file.

8. I was unaware of any further developments in connection with this application until February 2007 when Jane H. Welch ("Welch") showed me the (second) Notice of Abandonment dated January 25, 2007 (Exh. H) together with a copy of the Advisory Action of November 25, 2003 (Exh. D). I had not previously seen Exhibit D.

I declare under the penalty of perjury that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, having been warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 USC §1001, and may jeopardize the validity of this application or any patent resulting therefrom.

Dated: 3/28/08

Lata Olivier
Lata Olivier